



H11

Attorney's Docket No. 12504.393  
(formerly 5475-US)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Title: Expressions of Alfin1 and Methods For  
Producing Transgenic Plants Having  
Increased Root Growth and Root  
Specific Gene Activation

Art Unit: 1638

Examiner: Baum, Stuart F.

Inventor: Winicov

Serial No.: 09/647,841

Filing Date: October 5, 2000

Conf. No.: 4329

U.S. Patent and Trademark Office  
Box SEQUENCE  
P.O. Box 2327  
Arlington, VA 22202

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OCT 25 2002

TECH CENTER 1600/2900

**RESPONSE TO OFFICE ACTION**

Sir:

This is in response to Office Action dated June 18, 2002, the period for response to which has been extended to October 18, 2002 by the filing herewith of a petition for a three month extension of time and payment of the required fee. The Office Action transmitted a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures. A copy of the Notice is also enclosed.

Submitted herewith is a revised Sequence Listing that is believed to comply with the relevant rules. A paper copy and a computer readable copy (3.5 inch floppy diskette) prepared through use of the software program "PatentIn Version 3" of the Sequence Listing are attached. The content on the paper and the computer readable form is identical to the written paper sequence listing. The revised Sequence Listing contains no new matter.

In view of the foregoing, it is respectfully submitted that all of the informalities have been met and this application can now be passed to examination. If the Examiner believes a telephone

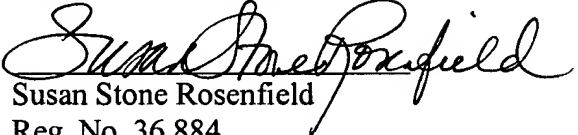
RESPONSE TO OFFICE ACTION  
US Application No. 09/647,841

conference would expedite prosecution of this application, please telephone the undersigned at (602) 916-5317.

Dated: October 18, 2002

Respectfully submitted,

FENNEMORE CRAIG

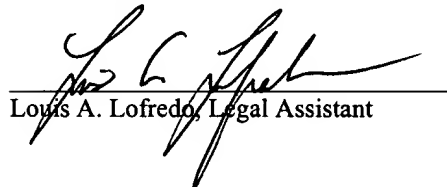
  
Susan Stone Rosenfield  
Reg. No. 36,884  
3003 N. Central Avenue, Suite 2600  
Phoenix, Arizona 85012-2913  
Tel: (602) 916-5317

**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. § 1.10**

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Date of Deposit October 18, 2002

I hereby certify that this paper and all documents and any fee referred to herein are being deposited on the date indicated above with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

  
Louis A. Lofredo, Legal Assistant

10/16/02  
Date of Signature

# Notic to Comply

Application No.

09/647841

Applicant(s)

Examiner

Stuart Baum

Art Unit

1638

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Raw Sequence listing report

### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

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